

UNITED STATES DISTRICT COURT  
DISTRICT OF MARYLAND

CHRIS RICKMAN

Plaintiff,

**JURY TRIAL**

V.

CIVIL ACTION NO

PEROUTKA & PEROUTKA, P.A.

Defendant.

JANUARY 14, 2008

COMPLAINT

1. Plaintiff seeks relief pursuant to the Fair Debt Collection Practices Act ("FDCPA"), 15 U.S.C. § 1692; Md. Ann. Code Commercial Law Maryland Consumer Debt Collection Act. § 14-204 et seq. ("MCDCA"); and the Md. Ann. Code Commercial Law Consumer Practices Act § 13-301 et seq.

2. The Court's jurisdiction is conferred by 15 U.S.C.1692k and 28 U.S.C. 1331 and 1367.

3. Plaintiff is a natural person who resides in Crofton, Maryland.

4. Plaintiff is a consumer within the FDCPA.

5. Defendant is a debt collector within the FDCPA.

6. **Defendant is a collector within the MCDCA.**

6 Defendant communicated with plaintiff ~~or others~~ on or after one year before the date of this action, in connection with collection efforts with regard to

Plaintiff's disputed personal debt to **Pasadena Receivables, Inc.** ~~Chase Manhattan Bank~~.

~~7. In the collection efforts, the defendant violated the FDCPA, inter alia, section 1692e~~

- 8. Defendant communicated with plaintiff numerous times in an attempted to collect a debt that the plaintiff does not owe.**
- 9. Plaintiff contacted the defendant and advised Peroutka & Peroutka that he is not the responsible party to this debt. Defendant insisted he was the responsible party and continued to collect this debt.**
- 10. Plaintiff advised the defendant that he disputed this debt.**
- 11. Defendant advised the plaintiff that his dispute must be put in writing, in conflict with a previous communication that advised plaintiff he could orally dispute this debt, in violation of the FDCPA.**
- 12. Defendant failed to provide notice pursuant to 1692e (11) in every oral communication the defendant had with the plaintiff.**
- 13. Defendant has inadequate procedures in place to avoid such error.**
- 14. Defendant provided the plaintiff with written documentation which purports to be an account ledger. This ledger lists payment dates and amounts allegedly made by Mr. Rickman to the creditor. The account ledger is false, misleading and defendant or agent of the defendant, created this document to deceive and mislead the plaintiff and or his counsel and by doing so used unfair or unconscionable means to collect this debt.**

**15. In the collection efforts, the defendant violated the FDCPA; inter alia, section 1692e, f, and g.**

**SECOND COUNT**

8. The allegations of the First Count are repeated and realleged as if fully set forth herein.

~~—9. Within three years prior to the date of this action Defendant has engaged in acts and practices as to plaintiff in violation of the Md. Ann. Code Commercial Law Maryland Consumer Debt Collection Act § 14-204 et seq. (“MCDCA”); Md. Ann. Code Business Regulation Collection Agencies § 7-301 et seq.~~

~~—10. Defendant has committed unfair or deceptive acts or practices within the meaning of the Md. Ann. Code Commercial Law Consumer Practices Act § 13-301 et seq.~~

**17. Within three years prior to the date of this action Defendant collection agency has engaged in acts and practices as to plaintiff in violation of the Md. Ann. Code Commercial Law Maryland Consumer Debt Collection Act § 14-204 et seq. (“MCDCA”);**

**18. Defendant a collection agency has committed unfair or deceptive acts or practices within the meaning of the Md. Ann. Code Commercial Law Consumer Practices Act § 13-301 et seq.**

WHEREFORE plaintiff respectfully requests this Court to:

- ~~1. Award plaintiff such damages as are permitted by law both compensatory and punitive, including \$1,000 statutory damages for each communication against the defendant;~~
- ~~2. Award the plaintiff costs of suit and a reasonable attorney's fee;~~
- ~~3. Award declaratory and injunctive relief, and such other and further relief as law or equity may provide~~

**WHEREFORE plaintiff respectfully requests this Court to:**

- 1. Award plaintiff statutory damages pursuant to the Fair Debt Collection Practices Act 15 U.S.C. §1692 et seq.;**
- 2. Award plaintiff Statutory damages pursuant to Maryland Consumer Debt Collection Act § 14-204 et seq;**
- 3. Award plaintiff statutory damages pursuant to the Md. Ann. Code Commercial Law Consumer Practices Act § 13-301 et seq;**
- 4. Award the plaintiff costs of suit and a reasonable attorney's fee;**
- 5. Award and such other and further relief as this Court may provide.**

THE PLAINTIFF

BY \_\_\_\_\_  
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